

070050.2897  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Greene *et al.*  
Serial No. : 10/809,312 Examiner : McGillem, Laura L.  
Filed : March 24, 2004 Group Art Unit : 1636  
For : METHODS FOR REGULATING DIFFERENTIATION OF NEURAL  
CELLS AND USES THEREOF

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

I hereby certify that this paper is being deposited with the United States  
Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-  
1440 on: October 27, 2006  
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Van H. Nguyen  
Attorney Name

  
Signature

56,571  
PTO Reg. No.

October 27, 2006  
Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In supplement to the Information Disclosure Statement filed on November 10, 2004, and the Supplemental Information Disclosure Statement filed on August 14, 2006, and pursuant to the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants respectfully request that the publications relating to the above-identified application listed herein and on the accompanying PTO Form 1449, and not previously made of record, be considered by the Examiner and made of record in the United States Patent and Trademark Office.

Copies of non-patent publications, non-U.S. Patent and non-U.S. published Patent Application documents listed are enclosed. The documents contained herein, listed in reverse

chronological order, are identified as numbers 1 through 9. The documents listed below are also listed in the accompanying PTO Form 1449, which is submitted in duplicate. Some of the listed documents were cited in the International Search Report for International Patent Publication Number WO 2005/094267, a copy of which is enclosed.

1. Mason et al., 2005, ATF5 regulates the proliferation and differentiation of oligodendrocytes, *Mol Cell Neurosci.*, 29(3):372-80.
2. Pluchino et al., 2005, Neural stem cells and their use as therapeutic tool in neurological disorders, *Brain Res Brain Res Rev.*, 48(2):211-9.
3. Angelastro et al., 2003, Regulated expression of ATF5 is required for the progression of neural progenitor cells to neurons, *J Neurosci.*, 23(11):4590-600.
4. Cottrell et al., 2003, Silence of the strands: RNA interference in eukaryotic pathogens, *Trends Microbiol.*, 11(1):37-43.
5. Thomas et al., 2003, Progress and problems with the use of viral vectors for gene therapy, *Nat. Rev. Genet.*, 4(5):346-58.
6. Beers and Berkow, eds., 1999, *The Merck manual of diagnosis and therapy*, 17ed., Whitehouse Station, NJ: Merck Research Laboratories, chapter 183.
7. Greene et al., 1998, Culture and experimental use of the PC12 rat pheochromocytoma cell line,. In: *Culturing nerve cells*, 2nd ed., Goslin, G.K., ed., Cambridge, MA, The MIT Press, pp. 161-188.

8. Bodansky, 1984, Principles of peptide synthesis, New York: Springer-Verlag New York, Inc. (Table of Contents only).
9. Gross and Meienhofer, eds., 1981, Peptides: Analysis, Synthesis, Biology: Modern techniques of peptide and amino acid analysis, New York: John Wiley and Sons. (Table of Contents only).

The submission of this Second Supplemental Information Disclosure Statement does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute “prior art.” If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute “prior art” under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Applicants believe that no fee in addition to the enclosed fee under 37 C.F.R § 1.17(p) is due in connection with the filing of this Supplemental Information Disclosure Statement. However, if any additional fee is due, or overpayment made, with regard to this communication, the Commissioner is authorized to charge any such fee, and to credit any overpayment, to our Deposit Account No. 02-4377. A copy of this communication is enclosed.

Respectfully submitted,



Lisa B. Kole  
Patent Office Reg. No. 35,225

Van H. Nguyen  
Patent Office Reg. No. 56,571

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Enclosures  
Form PTO-1449  
Copy of cited documents

<b>Form PTO-1449 U.S. Department of Commerce</b> <b>(REV. 2-82) Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>  (Use several sheets if necessary)	Atty. Docket No. 070050.2897	Serial No. 10/809,312
	Applicant Greene et al.	
	Filing Date March 24, 2004	Group 1636
	Examiner McGillem, Laura L.	

### U.S. PATENT DOCUMENTS

Exam. Initial.	No.	Document No.	Date	Name	Class	Subclass	Filing Date if Approximate.

### FOREIGN PATENT DOCUMENTS

Exam Initial	No.	Document No.	Date	Country	Class	Subclass	Translation Yes No

Exam Initial	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
	1.	Mason et al., 2005, ATF5 regulates the proliferation and differentiation of oligodendrocytes, Mol Cell Neurosci., 29(3):372
	2.	Pluchino et al., 2005, Neural stem cells and their use as therapeutic tool in neurological disorders, Brain Res Brain Res Rev., 48(2):211
	3.	Angelastro et al., 2003, Regulated expression of ATF5 is required for the progression of neural progenitor cells to neurons, J Neurosci., 23(11):4590-600.
	4.	Cottrell et al., 2003, Silence of the strands: RNA interference in eukaryotic pathogens, Trends Microbiol., 11(1):37-43.

NY02:565244.1

Examiner

Date Considered

\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Form PTO-1449 U.S. Department of Commerce</b> <b>(REV. 2-82) Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>  (Use several sheets if necessary)	Atty. Docket No. 070050.2897	Serial No. 10/809,312
	Applicant Greene et al.	
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	Examiner McGillem, Laura L.	

Exam Initial	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
	5.	Thomas et al., 2003, Progress and problems with the use of viral vectors for gene therapy, Nat. Rev. Genet., 4(5):346-58.
	6.	Beers and Berkow, eds., 1999, The Merck manual of diagnosis and therapy, 17ed., Whitehouse Station, NJ: Merck Research Laboratories, chapter 183.
	7.	Greene et al., 1998, Culture and experimental use of the PC12 rat pheochromocytoma cell line., In: Culturing nerve cells, 2nd ed., Goslin, G.K., ed., Cambridge, MA, The MIT Press, pp. 161-188.
	8.	Bodansky, 1984, Principles of peptide synthesis, New York: Springer-Verlag New York, Inc. (Table of Contents only).
	9.	Gross and Meienhofer, eds., 1981, Peptides: Analysis, Synthesis, Biology: Modern techniques of peptide and amino acid analysis, New York: John Wiley and Sons. (Table of Contents only).

NY02:565244.1

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Date Considered

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*Handwritten signature/initials*

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/809,312
	Filing Date	March 24, 2004
	First Named Inventor	Greene
	Art Unit	1636
	Examiner Name	McGillen, Laura L.
Total Number of Pages in This Submission	Attorney Docket Number	070050.2897

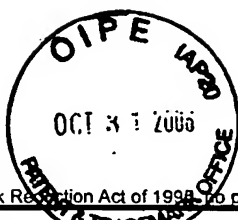
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Baker Botts LLP	Customer No.	21003
Signature	<i>Van H. Nguyen</i>		
Printed name	Van H. Nguyen		
Date	10/27/2006	Reg. No.	56,571

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	<i>Van H. Nguyen</i>
Typed or printed name	Van H. Nguyen
Date	10/27/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00

## Complete if Known

Application Number	10/809,312
Filing Date	March 24, 2004
First Named Inventor	Greene
Examiner Name	McGillem, Laura L.
Art Unit	1636
Attorney Docket No.	070050.2897

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 02-4377  
Deposit Account Name: Baker Botts L.L.P.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001	2001	Utility filing fee	
1002	2002	Design filing fee	
1003	2003	Plant filing fee	
1004	2004	Reissue filing fee	
1005	2005	Provisional filing fee	
SUBTOTAL (1)			(\$ 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20 =	X	=0
Multiple Dependent Claims	-3 =	X	=0

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202	2202	Claims in excess of 20
1201	2201	Independent claims in excess of 3
1203	2203	Multiple dependent claim, if not paid
1204	2204	** Reissue independent claims over original patent
1205	2205	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee Code	Fee Description	Fee Paid
1051	2051	Surcharge - late filing fee or oath	
1052	2052	Surcharge - late provisional filing fee or cover sheet	
1053	1053	Non-English specification	
1812	1812	For filing a request for ex parte reexamination	
1804	1804	Requesting publication of SIR prior to Examiner action	
1805	1805	Requesting publication of SIR after Examiner action	
1251	2251	Extension for reply within first month	
1252	2252	Extension for reply within second month	
1253	2253	Extension for reply within third month	
1254	2254	Extension for reply within fourth month	
1255	2255	Extension for reply within fifth month	
1401	2401	Notice of Appeal	
1402	2402	Filing a brief in support of an appeal	
1403	2403	Request for oral hearing	
1451	1451	Petition to institute a public use proceeding	
1452	2452	Petition to revive - unavoidable	
1453	2453	Petition to revive - unintentional	
1501	2501	Utility issue fee (or reissue)	
1502	2502	Design issue fee	
1503	2503	Plant issue fee	
1460	1460	Petitions to the Commissioner	
1807	1807	Processing fee under 37 CFR 1.17(q)	
1806	1806	Submission of Information Disclosure Stmt	180
8021	8021	Recording each patent assignment per property (times number of properties)	
1809	2809	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	2810	For each additional invention to be examined (37 CFR 1.129(b))	
1801	2801	Request for Continued Examination (RCE)	
1802	1802	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00

## SUBMITTED BY

(Complete (if applicable))

Name (Print/Type)	Van H. Nguyen	Registration No. (Attorney/Agent)	56,571	Telephone	212-408-2500
Signature		Date	10/27/2006		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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